

IN THE CLAIMS

Please amend the claims to be in the form as follows:

Claims 1-12 (cancelled)

Claim 13 (previously presented): An encoding device comprising:

a compression unit for encoding a signal representing a video program of a predefined duration into compressed digital data with a variable bit rate; and
system controller means for controlling the compression unit for adjusting during the encoding, the bit rate of the digital data for fitting the program in a predetermined data space which is available for the program depending on: a remaining part of the data space determined during the encoding, a remaining part of the duration of the program determined during the encoding, and a complexity of at least a part of the program.

Claim 14 (previously presented): A recording device comprising:

recording means for recording digital data on the information carrier having a predetermined data space available for recording;
a compression unit for encoding a signal representing a video program of a predefined duration into digital data;
data space means for determining during the encoding, the remaining part of the data space;
duration means for determining during the encoding, the remaining part of the duration of the video program;
data space means for determining during the encoding, the complexity of at least a part of the video program; and
system controller means for controlling the compression unit for adjusting during the encoding the bit rate of the digital data for fitting the program in the data space depending on: the remaining part of the data space determined during the encoding; the remaining part of the duration of the video program determined during encoding; and the complexity of at least a part of the video program.

Claim 15 (previously presented): A method of encoding comprising the steps of:

receiving a signal that represents a video program of a predefined duration;
encoding to convert the signal into compressed digital data with a bit rate adjusted for fitting the program into a predetermined data space which is available for the program;
determining during the encoding, a remaining part of the memory space;
determining during the encoding, a remaining part of the duration of the video program;
determining during the encoding, the complexity of at least a part of the video program; and
adjusting settings of the compression process for adjusting during the encoding the bit rate depending on: the remaining part of the data space determined during encoding, the remaining part of the duration determined during encoding, and the complexity of at least a part of the program determined during encoding.

Claim 16 (previously presented): Apparatus for programming a programmable controller to provide programmed structures to control a compression unit to influence a bit rate of a program of predefined duration, comprising:

means for providing programmed structures for determining during the encoding, a remaining part of the memory space;
means for providing programmed structures for determining during the encoding, a remaining part of the duration of the video program;
means for providing programmed structures for determining during the encoding, the complexity of at least a part of the video program; and
means for providing programmed structures for adjusting settings of the compression process for adjusting during the encoding the bit rate depending on: the remaining part of the data space determined during encoding, the remaining part of the duration determined during encoding, and the complexity of at least a part of the program determined during encoding.

Claim 17 (previously presented): An encoded signal produced by the method of Claim 15.

Claim 18 (previously presented): Computer media containing the encoded signal of Claim 17.

Claim 19 (new): The encoding device of Claim 13 wherein the system controller means further comprises controlling the compression unit to set compression in accordance with the complexity for the at least a part of the program by increasing compression for more complex parts of the program.

Claim 20 (new): The encoding device of Claim 19 wherein the system controller means computes a new value for the bit rate in response to more complex of the parts of the program being encoded with increased compression.

Claim 21 (new): The encoding device of Claim 13 wherein the compression unit employs a variable bit rate in accordance with program signal contents.

Claim 22 (new): The recording device of Claim 14 wherein the system controller means controls the compression unit to set compression in accordance with the complexity for the at least a part of the program by increasing compression for more complex parts of the program.

Claim 23 (new): The recording device of Claim 22 wherein the system controller means for computes a new value for the bit rate in response to more complex of the parts of the program being encoded with increased compression.

Claim 24 (new): The recording device of Claim 14 wherein the compression unit employs a variable bit rate in accordance with program signal contents.

Claim 25 (new): The method of Claim 15 wherein the adjusting settings of the compression process further comprises adjusting settings in accordance with the complexity for the at least a part of the program by increasing compression for more complex parts of the program.

Claim 26 (new): The method of Claim 25 wherein the adjusting settings of the compression process further comprises computing a new value for the bit rate in response to more complex of

the parts of the program being encoded with increased compression.

Claim 27 (new): The method of Claim 15 wherein the adjusting settings of the compression process further comprises varies bit rates in accordance with program signal contents.

Claim 28 (new): The apparatus for programming a programmable controller of Claim 16 wherein the means for providing programmed structures for adjusting settings of the compression process further comprises means for adjusting settings in accordance with the complexity for the at least a part of the program by increasing compression for more complex parts of the program.

Claim 29 (new): The apparatus for programming a programmable controller of Claim 28 wherein the adjusting settings of the compression process further comprises computing a new value for the bit rate in response to more complex of the parts of the program being encoded with increased compression.

Claim 30 (new): The apparatus for programming a programmable controller of Claim 16 wherein the adjusting settings of the compression process further comprises varies bit rates in accordance with program signal contents.